

From: Peter Gold/R3/USEPA/US
Sent: 1/9/2012 2:28:12 PM

To: Victoria Binetti/R3/USEPA/US@EPA; Chad Harsh/R3/USEPA/US@EPA
CC:
Subject: Fw: Questions for Meeting with GAO Wednesday, 01/11/12

Vicky and Chad,

Would you be able to participate in the GAO meeting on Hydraulic fracturing this Wednesday January 11 from 3:30 to 5:00 p.m., you would not need to stay for the entire meeting but just the portion dealing with WPD questions (identified in red below). Linda B., will be attending the meeting as well. Please let me know if you will be able to attend and I will get you the needed information. Thank You

1. Please provide an overview of EPA region 3's role in regulating oil and gas development under the Clean Water Act and Safe Drinking Water Acts in your region, with particular focus on Pennsylvania.
2. Based on news reports, it appears that companies in Pennsylvania have agreed to stop discharging produced water and frac wastewater to publicly-owned treatment works. What was EPA's involvement, if any, regarding Pennsylvania's actions on this? Does EPA have a position on the discharges, such as regarding the ability of local POTWs to treat them or whether POTWs are authorized to receive them? To EPA's knowledge, what other options are available to producers for disposing of these wastewaters?
3. In past interviews with GAO's Produced Water team, Region 3 officials mentioned that there are only a few Type II UIC wells in Pennsylvania, but stated that this is not because the geology is inappropriate for such wells. Can you explain in greater detail why there are few Type II UIC wells in Pennsylvania? Has EPA received permit applications for any Type II UIC wells in Pennsylvania that would receive produced water? If so, did EPA grant the permit? What is Pennsylvania's involvement, if any, in EPA decisions on UIC well permits in the state?
4. In past interviews with GAO's Produced Water team, Region 3 officials mentioned that, even in cases where states have primacy for a program, EPA can step in to conduct enforcement if they feel the state is not adequately enforcing program requirements. Has EPA taken, or encouraged the state to take, any enforcement actions under the SDWA or CWA related to oil and gas development in Pennsylvania?
5. Has EPA ever exercised imminent and substantial endangerment authority under the SDWA (42 U.S.C. § 300i(a)) or CWA (33 U.S.C. § 1364(a)) to address concerns related to oil or gas development or operations activity in Pennsylvania?
6. What has been the EPA's role in the investigation into groundwater contamination in Dimock, PA? Has EPA conducted any other investigations? If so, how many and what were their outcomes?

----- Forwarded by Peter Gold/R3/USEPA/US on 01/09/2012 02:23 PM -----

From: Angela McFadden/R3/USEPA/US
To: Judith Hykel/R3/USEPA/US@EPA, Karen Melvin/R3/USEPA/US@EPA, Michael Dunn/R3/USEPA/US@EPA, Jacqueline Morrison/R3/USEPA/US@EPA, Jessica Greathouse/R3/USEPA/US@EPA, Angela McFadden/R3/USEPA/US@EPA, Jennifer Lynn/R3/USEPA/US@EPA, Richard Killian/R3/USEPA/US@EPA, James VanOrden/R3/USEPA/US@EPA, Marcos Aquino/R3/USEPA/US, Bill Jones/R3/USEPA/US@EPA, Peter Gold/R3/USEPA/US@EPA, Humane Zia/R3/USEPA/US@EPA, Terri-A White/R3/USEPA/US@EPA, Thomas Damm/R3/USEPA/US@EPA, Terry Simpson/ESC/R3/USEPA/US@EPA, Jennie Saxe/R3/USEPA/US@EPA, Garth Connor/R3/USEPA/US
Cc: Marcia Mulkey/R3/USEPA/US@EPA, Ron Borsellino/R3/USEPA/US@EPA, Kathy Hodgkiss/R3/USEPA/US@EPA, John Pomponio/R3/USEPA/US@EPA, John Krakowiak/R3/USEPA/US@EPA, Abe Ferdas/R3/USEPA/US@EPA, Wayne Naylor/R3/USEPA/US@EPA, Samantha Beers/R3/USEPA/US, Brian Nishitani/R3/USEPA/US@EPA, Stacie Driscoll/R3/USEPA/US@EPA, Michael Kulik/R3/USEPA/US@EPA, Diana Esher/R3/USEPA/US@EPA, David Arnold/R3/USEPA/US@EPA, Linda Boornazian/R3/USEPA/US@EPA, Jon Capacasa/R3/USEPA/US@EPA, Neil Bigioni/R3/USEPA/US@EPA, Chris Spangenberg/R3/USEPA/US, John Forren/R3/USEPA/US, Jeffrey Lapp/R3/USEPA/US@EPA, Lorraine Fleury/R3/USEPA/US@EPA
Date: 01/06/2012 03:15 PM
Subject: Fw: Questions for Meeting with GAO Wednesday, 01/11/12

In follow up to Wednesday's division leads meeting, here are the questions GAO has prepared. Please take a look and let me know who from your division will be attending so we can make sure Lori has them on the meeting invite.

thanks,

Angela

Angela McFadden

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----- Forwarded by Angela McFadden/R3/USEPA/US on 01/06/2012 03:11 PM -----

From: Lorraine Fleury/R3/USEPA/US
To: Angela McFadden/R3/USEPA/US@EPA
Date: 01/06/2012 03:01 PM
Subject: Questions for Meeting with GAO Wednesday, 01/11/12

Hi Angela - Attached are the questions from Janice that I will send to everyone on Monday, after reserving a conference room. On second thought, I am going to invite everyone to the entire meeting because estimating how much time GAO will need for each topic will be too difficult. Let me know if you have additional people to add to the meeting invite. Thanks.

Lorraine Fleury
EPA Region III, Audit Follow-up Coordinator
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